

CENTRAL INTELLIGENCE AGENCY  
Washington, D. C.

NOTICE  
NO. \_\_\_\_\_

February 1952

SUBJECT: POLITICAL ACTIVITY OF CIA PERSONNEL

This being a presidential election year, all personnel should bear in mind the provisions of the Hatch Act restricting political activity by employees of the executive branch of the Federal Government. This notice is issued as a guide to the more important prohibitions of the Act and is not a complete statement of the Act and its interpretations. For guidance in a specific case the Act itself should be read, together with the Civil Service Commission's interpretation thereof (Federal Personnel Manual, pages C2-3 to C2-15); or the General Counsel's Office should be consulted.

GENERAL PROVISIONS

Under the Hatch Act no CIA employee may,

- a) Use official authority or influence for the purpose of interfering with an election or affecting its results,
- b) Take an active part in political management or in political campaigns.

The penalty for violating the above restrictions is immediate removal.

An employee so removed may not be reemployed in any position in the Agency.

The Hatch Act specifically provides that Federal employees shall retain the right to vote as they choose and to express their opinions on all political subjects and candidates. This right to express opinions however is subject to the prohibition against taking an active part in political management or campaigns. Accordingly public expression of

opinion which amounts to taking an active part in political management or campaigns is prohibited.

In addition to the restrictions of the Hatch Act, all employees of this Agency should bear in mind the Agency's special mission and non-political character. It would therefore be inappropriate for any employee of this Agency to make a partisan display of any kind. All CIA personnel should express themselves moderately on political subjects in keeping with the dignity of a public servant.

#### APPLICATION OF HATCH ACT TO PARTICULAR ACTIVITIES

Conventions. Candidacy for or service as a delegate, alternate or proxy in any political convention, or service as an officer or employee thereof, is prohibited. Attendance merely as a spectator, if not on Government time, is permissible, but any employee so attending must not take any part in the convention or in the deliberations or proceedings of any of its committees, and must refrain from any public display of partisanship or obtrusive demonstration or interference.

Primaries, Caucuses and Rallies. An employee may attend a primary meeting, mass convention, caucus, political meeting or rally and may cast his vote on any question presented. He may not go further in participating in its deliberations; specifically, he may not act as an officer of the meeting, may not organize or assist in organizing or preparing for it, may not address it, make motions, prepare or assist in preparing resolutions, assume to represent others, or take any prominent part in its deliberations.

Committees. Candidacy for and the holding of the office of political committeeman, such as precinct committeeman, ward committeeman, etc.,

is prohibited. An employee may attend as a spectator any meeting of a political committee to which the general public is admitted, but must refrain from activity as indicated in the previous paragraph.

Clubs and Organizations. Employees may be members of a political club, but may not be active in organizing such a club, may not be officers of it, or members or officers of any of its committees, may not address the club or take an active part in the management of its affairs and may not represent other members or attempt to influence them.

Civic Organizations and Citizens' Associations. Activity in organizations having for their primary object the promotion of good government or the local civic welfare is not prohibited, provided that such activities have no connection with the political campaigns of particular candidates or political parties.

Contributions. Employees may make contributions to a regularly constituted political organization for its general expenditures provided that such contributions do not exceed \$5000 in any calendar year either in connection with the campaign of any candidate for elective Federal office, or to or in behalf of any organization engaged in furthering the success of any national political party. Employees may not solicit or receive contributions for political purposes.

Petitions. Employees may sign petitions, including nominating petitions, as individuals without reference to their connection with the Government. Employees, however, may not initiate petitions or canvass for the signatures of others, if such petitions are identified with political management or political campaigns.

Parades. An employee may not participate in or help organize a political parade.

Badges, Buttons, Pictures and Stickers. Employees may not distribute campaign literature, badges or buttons. The law does not prohibit employees from wearing political badges or buttons, or from displaying political posters or pictures in the windows of their homes or in their automobiles. However, it is a violation of the spirit of the law for a public servant to make a partisan display of any kind while on duty and it is inappropriate at any time.

Voting. An employee has the right to vote as he pleases, and to exercise this right free from interference, solicitation or dictation by any fellow employee or superior officer.

Serving as Election Officers and Activity at Polls. Employees may serve as election officers, provided that, in so doing, they do not engage in partisan activities or partisan political management. Employees may not solicit votes, assist voters to mark ballots, help to get out the voters on registration or election days, act as accredited checkers, watchers or challengers for any party or faction or engage in any other partisan political activity at the polls during primary or regular elections.

The foregoing provisions do not apply if the election is covered by the exceptions specified in the following paragraph.

Non-partisan Political Activity. Under Section 16 of the Hatch Act employees may take an active part in political management and political campaigns in connection with:

- (1) "Any election and the preceding campaign if none of the candidates is to be nominated or elected at such election as representing a party any of whose candidates for presidential elector received votes in the last preceding election at which presidential electors were selected;" or
- (2) Any question which is not specifically identified with any National or State political party, including questions relating to constitutional amendments, referendums, approval of municipal ordinances, and others of a similar

Section 18 of the Act does not waive the requirement that employees must not use their official authority or influence for the purpose of interfering with an election or affecting its result.

Expression of Opinion. This subject has been discussed under the caption, "General Provisions".

Exempted Municipalities. The Civil Service Commission is authorized by the Hatch Act to issue regulations permitting Federal employees living in certain municipalities to take an active part in local political management and political campaigns. The municipalities for which such regulations may be issued are those in the immediate vicinity of the District of Columbia in the States of Maryland and Virginia and those the majority of whose voters are employed by the Federal Government. Before granting exemption to any of such municipalities the Commission must determine that special or unusual circumstances exist which make participation in local politics in the domestic interest of the Federal employees. The privilege of active participation in local government when granted by the Commission is subject to several restrictions. Any employee who believes he is in an exempted municipality and wishes to participate in local government should first consult the Personnel Relations' Office to verify that his municipality is exempt and to familiarize himself with the restrictions imposed by the Commission.